AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions and listings of the claims. The status of each claim is indicated. Amendments are shown with additions underlined and deletions in ~~strikethrough~~ text. No new matter is added by these amendments.

LISTING OF CLAIMS:

1.-15. (Previously Cancelled)

16. (Currently Amended) A computer-readable medium having stored thereon a data communication program ~~to cause~~ for causing a computer to execute:

a confirmation step of confirming reception of electronic mail attached with one of a plurality of firmware, each firmware having a memory write priority level set,

an acquirement step of acquiring information relating to said priority level of said attached one firmware from said electronic mail,

a determination step of determining whether said attached one firmware attains a write allowable state into a predetermined memory based on said acquired information relating to a priority level, and

a permission step of permitting writing of said one firmware into a predetermined memory when it is determined the firmware attached attains a write allowable state by said determination step.

17. (Currently Amended) The ~~data communication program~~ computer-readable medium according to claim 16, wherein said program further ~~causing~~ causes the computer to execute a write step of writing said one firmware into a predetermined memory when writing is permitted by said permission step.

18. (Currently Amended) The ~~data communication program~~ computer-readable medium according to claim 16, wherein said determination step determines a write allowable state when the priority level of said attached one firmware is highest among firmware not written into a memory out of said plurality of firmware.

19. (Cancelled)

20. (Previously Presented) A data communication apparatus comprising:

a confirmation portion for confirming reception of electronic mail attached with one of a plurality of firmware, each firmware having a memory write priority level set,

an acquirement portion for acquiring information relating to said priority level of said attached one firmware from said electronic mail,

a determination portion for determining whether said attached one firmware attains a write allowable state into a predetermined memory based on said acquired information relating to a priority level, and

a permit portion for permitting writing of said one firmware into a predetermined memory when it is determined the firmware attached attains a write allowable state by said determination portion.

21. (Previously Presented) The data communication apparatus according to claim 20, further comprising a writing portion for writing said one firmware into a predetermined memory when writing is permitted by said permit portion.

22. (Previously Presented) A data communication method comprising:

a confirmation step of confirming reception of electronic mail attached with one of a plurality of firmware, each firmware having a memory write priority level set,

an acquirement step of acquiring information relating to said priority level of said attached one firmware from said electronic mail,

a determination step of determining whether said attached one firmware attains a write allowable state into a predetermined memory based on said acquired information relating to a priority level, and

a permission step of permitting writing of said one firmware into the predetermined memory when it is determined said attached one firmware attains a write allowable state by said determination step.

23. (Currently Amended) A non-transitory recording medium recorded with a data communication program that causes a computer to execute processes of:

acquiring information relating to a rewrite priority level of firmware from electronic mail with one of a plurality of firmware attached,

determining whether said firmware attached to electronic mail is writable into a memory based on said acquired information relating to a priority level, and writing said one firmware into said memory when determination is made that writing is allowed by said determination.

24. (Currently Amended) The non-transitory recording medium according to claim 23, wherein said plurality of firmware correspond to division of firmware for one module into a plurality of parts, and the priority level corresponds to an order of division.

25. (Currently Amended) The <u>non-transitory</u> recording medium according to claim 23, wherein said plurality of firmware are respective firmware for a plurality of modules.